

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1543

Session of
1987

INTRODUCED BY KUKOVICH, RICHARDSON, FOX, RYBAK, FREEMAN, HAYDEN,
JACKSON, TIGUE, MORRIS, BORTNER, YANDRISEVITS, BELFANTI,
DALEY, STABACK, KOSINSKI, R. C. WRIGHT, J. TAYLOR, HARPER,
JOSEPHS, E. Z. TAYLOR, SHOWERS, FISCHER AND PRESTON, JUNE 11,
1987

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, JUNE 11, 1987

AN ACT

1 Providing for the establishment of training and certification of
2 child protective services workers, for a governing board to
3 be known as the Child Protective Services Workers Board, for
4 the powers and duties of the board and for the duties of
5 certain State agencies; and making an appropriation.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Child
10 Protective Services Workers Certification Act.

11 Section 2. Purpose.

12 This act is intended:

13 (1) To establish minimum training requirements for child
14 protective service workers.

15 (2) To provide for certification of child protective
16 service workers who successfully complete the training
17 requirements.

18 (3) To establish the minimum requirements to maintain

1 the certification.

2 Section 3. Definitions.

3 The following words and phrases when used in this act shall
4 have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "Board." The Child Protective Services Workers Board.

7 "Certified child protective services worker." Any person
8 certified by the board.

9 "Child abuse." As defined in the act of November 26, 1975
10 (P.L.438, No.124), known as the Child Protective Services Law.

11 "Child protective services." Any service defined in the act
12 of November 26, 1975 (P.L.438, No.124), known as the Child
13 Protective Services Law.

14 "Child protective services worker." A person who conducts
15 investigations into reports of suspected child abuse, under
16 section 16 of the act of November 26, 1975 (P.L.438, No.124),
17 known as the Child Protective Services Law.

18 "Child protective services worker certification training."
19 Training as designated by the board to provide for certification
20 of child protective services workers or to maintain such
21 certification.

22 Section 4. Child Protective Services Workers Board.

23 (a) Members.--The board shall consist of eight members. Two
24 of the members shall be appointed by the Secretary of Public
25 Welfare, and six members shall be appointed by the Governor from
26 a list of names including, but not limited to, names of persons
27 recommended by the President of the Pennsylvania Association of
28 Children and Youth Administrators, Inc.

29 (b) Terms.--The term of office for a board member shall be
30 two years, except that, in the initial year, half the members

1 shall be appointed for a period of one year. Of those members
2 appointed for a one-year period, one shall be a member appointed
3 by the Secretary of Public Welfare and three shall be members
4 appointed by the Governor. Members may be appointed for a second
5 term, but in no case shall a member serve more than two
6 consecutive terms of membership.

7 Section 5. Certification training.

8 Child protective services workers certification training
9 shall consist of two interrelated phases. The location of
10 training sites shall be determined by the board.

11 (1) The first phase shall consist of a self-
12 instructional program manual, to be completed by the trainee
13 under the guidance of a protective services worker
14 supervisor. A test on the materials covered in the manual
15 will be administered to the trainee. This phase must be
16 completed within 30 days of employing the trainee. Passage of
17 the test is required to complete this phase. Testing
18 materials must be approved by the board before tests are
19 administered. Successful completion of this phase results in
20 a temporary certification that is valid for a five-month
21 period. Testing may be given in English or Spanish.

22 (2) Successful completion of phase two results in
23 certification that is valid for one year. Failure to pass the
24 certification test may be cause for the trainee to request a
25 re-test of those areas of the testing which were failed. A
26 re-test must be completed within three months of the
27 initially failed testing. No trainee shall be tested in the
28 second phase of training more than twice. Testing may be
29 given in English or Spanish. The board shall approve testing
30 materials before testing is administered. The test may be

1 developed exclusively from written materials presented in the
2 course of instruction provided by board-approved trainers.

3 The frequency of phase two training shall be determined by
4 the board. Instruction shall be given in the following areas:

5 (i) Law and legal procedures for child protective
6 services workers.

7 (ii) Children's and adolescents' developmental
8 needs.

9 (iii) Parenting skills.

10 (iv) Family dynamics.

11 (v) Assessment of dependency.

12 (vi) Interventive skills used by child protective
13 services workers.

14 (vii) Human behavior and the social environment.

15 (viii) Case management and time management skills.

16 (ix) Working relationships with and involvement of
17 law enforcement officials.

18 Section 6. Additional training.

19 Annual validation of certification shall require the
20 certified child protective services worker to receive 40 hours
21 of in-service training. Twenty of the 40 hours of in-service
22 training shall consist of training approved by the board.

23 Section 7. Status of existing employees.

24 Child protective services workers hired prior to the
25 effective date of this act shall be required to pass a
26 proficiency test within one year of the effective date of this
27 act. The proficiency test shall consist of materials approved by
28 the board. Upon satisfactorily completing the proficiency test,
29 a worker shall be deemed certified under this act.

30 Section 8. Waivers.

1 (a) General rule.--Requests for waivers of the required
2 training for certification shall be evaluated by the board and
3 the decision rendered by the board shall be final. In no event
4 shall a proficiency test be waived.

5 (b) Certification in another state.--A child protective
6 services worker certified in another state and having at least
7 one year of employment experience as a child protective services
8 worker may request a waiver of the training required for
9 certification. If the request is approved by the board, the
10 employee may attain certification by successfully passing a
11 proficiency test. The proficiency test must be approved by the
12 board before it is administered for the purpose of granting
13 certification.

14 Section 9. Nonapproval.

15 If the board determines that a trainee does not meet the
16 requirements of the act, the board will specify in writing and
17 forward to the trainee, by certified mail, return receipt
18 requested, the reason upon which the adverse determination is
19 based. Notice of the board's adverse determination shall be
20 issued no later than 30 days following the determination, except
21 in instances for cause shown.

22 Section 10. Availability of test scores.

23 The board will provide, within three days of completion of
24 the testing for certification, a list of trainees and their
25 respective scores to their respective administrators.

26 Section 11. Approval of testing materials.

27 Educational or training courses required for temporary
28 certification, certification or annual validation of
29 certification shall meet with the approval of the board before
30 education or training is deemed acceptable in meeting

1 requirements of temporary certification, certification or annual
2 validation of certification.

3 Section 12. Additional powers and duties of department.

4 (a) Development of compliance identifier.--The powers and
5 duties of the Department of Public Welfare shall include the
6 development of a mechanism to identify compliance or
7 noncompliance by the child protective services staff with the
8 requirements of this act.

9 (b) Limitation on subsidizing county workers.--The
10 Department of Public Welfare may not subsidize county child
11 protective services agencies for salaries of uncertified county
12 child abuse workers.

13 Section 13. Appropriation.

14 The sum of \$800,000, or as much thereof as may be necessary,
15 is hereby appropriated to the Child Protective Services Workers
16 Board to carry out the provisions of this act.

17 Section 14. Effective date.

18 This act shall take effect in 90 days.